



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

Mr. Larry Lawson, Director
Division of Water Program Coordination
Virginia Department of Environmental Quality
629 Main Street
Richmond, VA 23219

Dear Mr. Lawson:

The United States Environmental Protection Agency (EPA) Region III is pleased to approve the Total Maximum Daily Loads (TMDLs) for the primary contact and aquatic life (benthic) use impairments on Crab Creek. The TMDLs were submitted to EPA for review in April 2004. The TMDLs were established and submitted in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act to address an impairment of water quality as identified in Virginia's 1996 Section 303(d) list.

In accordance with Federal regulations at 40 CFR §130.7, a TMDL must comply with the following requirements: (1) designed to attain and maintain the applicable water quality standards, (2) include a total allowable loading and as appropriate, wasteload allocations (WLAs) for point sources and load allocations for nonpoint sources, (3) consider the impacts of background pollutant contributions, (4) take critical stream conditions into account (the conditions when water quality is most likely to be violated), (5) consider seasonal variations, (6) include a margin of safety (which accounts for uncertainties in the relationship between pollutant loads and instream water quality), (7) consider reasonable assurance that the TMDL can be met, and (8) be subject to public participation. The enclosure to this letter describes how the TMDLs for the aquatic life and primary contact use impairments satisfy each of these requirements.

Following the approval of these TMDLs, Virginia shall incorporate the TMDLs into the Water Quality Management Plan pursuant to 40 CFR § 130.7(d)(2). As you know, all new or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL WLA pursuant to 40 CFR §122.44 (d)(1)(vii)(B). Please submit all such permits to EPA for review as per EPA's letter dated October 1, 1998.



If you have any questions or comments concerning this letter, please don't hesitate to contact Mr. Peter Gold at (215) 814-5236.

Sincerely,

Jon M. Capacasa, Director
Water Protection Division

Enclosure

